

HAMPTON CONSERVATION COMMISSION PUBLIC HEARING  
APRIL 22, 2014  
MINUTES

**PRESENT:**

Jay Diener, Chair  
Peter Tilton, Jr., Vice Chair  
Barbara Renaud, Clerk  
Nathan Page, Alternate  
Pat Swank, alternate  
Diane Shaw, alternate

Also Present: Rayann Dionne, Conservation Coordinator

**CALL TO ORDER:**

The meeting was called to order at 7:02 p.m. by Chairman, Jay Diener, at the Town Hall Selectman's Meeting Room.

**CONSIDERATION OF MINUTES:**

**MOTION:** Mr. Tilton moved to approve the March 25, 2014 minutes, with edits provided.

**SECOND:** Ms. Swank

**VOTE:** 4 in Favor 2 Abstain (Mr. Page and Ms. Shaw)

**APPOINTMENTS – Cindy Willis – Hampton Victory Garden Update**

Ms. Willis, Manager of the Victory Garden, reported they currently have 39 active gardens working on Barbour Road. Five have been vacated due to illness and these are being filled from the wait list. The wait list currently has twelve names and is growing. She stated that everything is on schedule, the water is turned on, and she has met with Mr. Jacobs from DPW. She noted that he has been very helpful and is dealing with the drainage issue and the plan to complete the work. Further, Mr. Jacobs has offered to help and support in the clearing behind the garden.

Ms. Willis also stated that Mr. Jacobs has offered to push back the compost and also offered to take down the Sumac on the left side of the garden. This, she said, will enable expansion for an additional ten gardens in the future. It is not a necessity right now, but if the land is cleared, it will make expansion easier. Ms. Willis said she is very pleased with the services of the DPW.

She questioned whether the Commission is supportive of taking down brush and also questioned the status of the Cooperage building. Mr. Diener stated that he has spoken with Mr Syphers who supports the removal of the Cooperage. Mr. Diener asked for Selectwoman Woolsey's knowledge of the building removal, and she responded that she will check with the Town Manager. (Mrs. Woolsey was seated in the audience.)

Mr Diener commented that the Blacksmith Shop is in good shape, that no one is defending the Cooperage, and he will speak with Mr. Jacobs regarding removal of the building. Ms. Willis stated that it would take extensive work to rehabilitate the building, but has no use for it and it is not of historical value. Mr. Page noted that the building had been moved to that site. He also stated that the brush cutting at the garden and opening of White's Lane could be used as DPW training in that the DPW has a new piece of equipment. Mr. Tilton stated that the Victory Garden

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has been taken over by bittersweet and there are no valuable trees other than the Victory Elm by the Blacksmith Shop.

Ms. Willis shared her concern about an animal or child being trapped in the Cooperage. Ms. Renaud reported she accompanied Mr. Syphers, a representative of the Historical Commission, to inspect the building and agreed that the Cooperage is not salvageable.

Mrs. Dionne questioned Ms. Willis about the fencing. Ms. Willis stated that the fences are constantly needing to be repaired. Mrs. Dionne suggested asking the DPW to assist in the repair of the fences.

Ms. Renaud spoke of the finances of the Garden stating that this year, it was a break-even situation, which may be due to the increase in water rates. Ms. Willis stated that there is now \$200. in the account and she learned recently that the account is to be a "pass through" account meaning there should be little to no money (more than \$1,000) carried over from year-to-year. She stated she has collected this year's dues, and, if money is running low, will have to ask for more money; or, if acceptable, can have a fund raiser. Mr. Diener stated that the Garden is not a registered Non-Profit and cannot bring in funds without them being taxable and suggested raising fees or a one-time assessment to cover water costs. Mr. Diener suggested coming back to the Commission if there is a problem raising additional funds.

Ms. Renaud pointed out that Aquarian has been talking about rain barrels being used for irrigation. There is already one rain barrel by the Blacksmith Shop and there is not enough roof run-off to fill two barrels. Mrs. Dionne volunteered to talk with the Aquarian representative regarding a water rate reduction.

Mr. Tilton stated he supports the idea of expanding the Garden, but if the fencing is going to be reconfigured, he asked that Ms. Willis confer with the Commission. Ms. Willis agreed to keep the Commission informed if any changes are anticipated.

**APPLICATIONS:**

**1. 56 Mooring Drive. Donna Gaznick-Hopler. Expansion of the rear ground floor deck by 24 square feet to accommodate a stair landing from upper deck. This is an Amended Special Permit Application.**

Mr. Gaznick spoke of the application stating that this is a request to enlarge the ground floor deck by 24 SF to allow room for a set of stairs that will extend down from the second story deck to the main deck. This will allow for a second means of egress from the home. He stated that they decided to include a new first floor while redoing the foundation. The new first floor created a two-story building within the existing foot print, so they want to add a second story deck. He stated the grading is within the conditions of the original plans and that the apron around the property is asphalt and the back area has an existing deck and stoop.

Mr. Gaznick, Mrs. Gaznick-Hopler's husband, on question of Mr. Diener, stated that crushed stone was put in and the asphalt has been removed. There is crushed stone around the perimeter of the house. There would be a 30" apron of stone, but it would not be a problem to extend outward. Mr. Diener stated the more apron, the better.

**PUBLIC COMMENT: There was no public comment.**

**MOTION: Mr. Tilton moved to recommend the Planning Board grant the Amended Special Permit for 56 Mooring Drive with the stipulations as follows:**

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- The upper and lower deck shall remain open above and below allowing for vegetation to grow beneath;
- All of the asphalt under the ground floor deck shall be removed and replaced with crushed stone.
- The applicant has agreed to extend the crushed stone apron across the front of the house to approximately 36" so that the stairs and their supports are surrounded by crushed stone instead of asphalt. This area is outside of the 50' buffer, but will help to increase drainage and reduce the total amount of sealed surface.

**Discussion on the Motion:**

Discussion resulted in Mr. Gaznick volunteering to expand the crushed stone apron in from to 36" on both sides.

**SECOND: Ms. Shaw**

**VOTE: 5 in favor, 0 opposed, 1 Abstain (Diener)**

**2. 52-54 Glade Path – Glade Path Condominiums – Barbara Gingrande. Agent – Ambit Engineering Mark Batchelder. Construction of a riprap revetment to prevent further erosion of salt marsh embankment and changes to the landscaping along the top of the embankment. This is a Special Permit and NHDES Standard Dredge and Fill application.**

Mr. Batchelder reported that revised plans were provided to the Commission on 4/22/2014 which differed from those presented on the site walk. He stated it is being requested to put a large stone riprap revetment along the back side to reduce the erosion that has been occurring for the past four years. The proposal is to put in a revetment that will last for many years and has been designed for the 100 year flood as well as potential storm events. There will be large size rock repositioning and some plantings to replace the dying plants. It is proposed to save the large pine tree. At the site walk, he had the contractor explain the type of equipment he is planning to use and is trying to use the smallest possible machines to wield the larger stones. He will be using a 20-ton excavator and will be working from west to east. The equipment will stay in the footprint of the proposed revetment as much as possible and will not go outside the future stone area unless absolutely necessary. If necessary, swamp mats will be used to help dissipate the loads and minimize impact. Equipment will be brought out of the marsh at night and stored, as shown on the plans, on the patio. Steel plates will be laid to protect the patio from damage during construction.

Mr. Diener asked if the contractor will go out six feet from the existing slope which is in the area proposed to put in the riprap. Mr. Batchelder stated that it will be leveled so the excavator will not be sitting on the slope. Further the silt sock will be six feet out in the event the excavator need to work from the marsh. Mrs. Dionne stated that a stipulation should be imposed that if the contractor needs to go into the marsh, a mat will be used.

Ms. Renaud noted there were not a lot of changes from the site walk, other than the storage area, sequence of construction, and the pine tree is to remain. Mr. Batchelder agreed the changes to the plan involved adding material storage and equipment staging areas.

Mr. Tilton questioned the erosion control and asked if a silt sock is different from compost filter material. Mr. Batchelder stated they are interchangeable terms. The silt sock will be torn up and left to biodegrade following construction.

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There was discussion about the shed, and as, Mrs. Dionne noted, there was a DES permit from 1994 for a shed that is shown in about the same location as the current patio. She stated she is unsure if the shed there now is the same as the one permitted. Further, the engineer stated that the current shed shown on the plan belongs to the neighbors, who have an easement for the shed.

Ms. Hutchins, the neighbor, who was present, confirmed that she has an easement for the shed that extends onto Ms. Gingrande's property. She stated that the shed sits on pea stone and has been moved many times within the easement area. She also commented that she does not want to hold up this project and will follow through on what is requested regarding the shed. There was some discussion about moving the shed, but Mr. Diener pointed out that is an issue to be taken up with Ms. Hutchins and not Ms. Gingrande since it is not Mr. Gingrande's shed, and Ms. Hutchins has an easement for it

Mrs. Dionne stated that she observed the 18 x 18 patio pavers had small spaces in between and was not sure that the patio was permeable. Ms. Gingrande said the stones were placed on top of stone and it was her understanding that it was permeable, but she would need to verify with the contractor. Mr. Tilton recommended larger spacing between the pavers and the appropriate stone base so water can be slowly absorbed into the ground.

Mr. Batchelder stated that the impact areas have been revised to include the patio. Mr. Diener recommended lifting the blocks, putting down crushed stone, and replacing the blocks with more spacing between them to make the patio pervious.

**MOTION: Mr. Page moved not to oppose the NHDES Dredge and Fill Permit for 52-54 Glade Path with the following stipulations:**

- **The contractor shall use mats to protect the salt marsh vegetation, if the equipment has to work outside of the revetment foot print;**
- **The property owner shall provide the exact dimensions of the current paver patio and documentation that it was constructed to be permeable to the Conservation Coordinator for review. If the patio area is not permeable then it will either need to be removed or reconstructed using the current foot print with proper paver spacing and subgrade to make it permeable. A re-construction plan shall be reviewed and approved by the Conservation Coordinator prior to re-installation;**
- **The property owner shall obtain Hampton Board of Selectmen approval to work on the portion of the revetment that will be located on Town property before any site work begins;**
- **The Commission shall be notified at the beginning and end of the project.**

**Discussion on the Motion:**

Mr. Diener stated that given this is not a beach front property, there is no concern regarding timing of the work.

Mrs. Woolsey stated that it is not a problem in this area in that it will not affect the public use of Town property.

**SECOND: Mr Tilton**

**VOTE: 5 in favor, 0 opposed, 1 abstain (Diener)**

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**MOTION:** Mr. Tilton moved to recommend the Planning Board grant the Town Special Permit for 52-54 Glade Path, Glade Path Condominiums with the following stipulations:

- The contractor shall use mats to protect the salt marsh vegetation, if the equipment has to work outside of the revetment foot print;
- The concrete paver patio be inspected, and permeable. The paver patio should also be measured and any re-working of the patio must stay within the existing foot print.
- The property owner shall obtain Hampton Board of Selectmen approval to work on the portion of the revetment that will be located on Town property before any site work begins;
- Use of 2 Wetlands Conservation District markers along the wetland buffer on either side of the property at the owner's expense;
- Lawn care must follow the guidelines set forth in the NHDES Shoreland Protection Act (Env-WQ 1400). No storage of grass clippings or yard waste in the wetland or its buffer;
- Removal of trees that are not dead, diseased, or unsafe must be performed in compliance with NHDES Shoreline Protection Act, Section Env-Wq 1403.05;
- All proposed plantings shall have at least 75% success after two (2) growing seasons. Any plants that do not survive shall be replanted or replaced with another suitable plant species;
- Proper erosion control will be in place before construction begins and remain in place until the area is stabilized and removed after construction is complete. Silt fence and hay bales (salt hay bales for tidal areas);
- The buffer should remain undisturbed to the degree possible in the process of construction and elevations not be changed. No additional fill is allowed. No change in elevation is allowed;
- There are to be no additional structures such as sheds, swimming pools, gazebos, patios or other sealed surface, etc. in the buffer, other than that shown on the approved plan. A new Special Permit is required for the erection of any additional structure(s) in the buffer;
- The Conservation Commission shall be notified in writing upon commencement and completion of the project. Schedule a final inspection with the Conservation Coordinator upon completion of the project;
- An As-Built Plan shall be submitted following project completion; and
- This permit will expire two years from the date that it is granted by the Planning Board. Refer to Hampton Zoning Ordinance, Section 2.3.5 for information on permit extensions.

**SECOND:** Ms. Renaud

**VOTE:** 5 in favor, 0 opposed, 1 abstain (Diener)

**3. 59 Campton Street.** Domenic D. Rose, 2003 Trust and Karen Gallahue. Engineer, Corey Colwell from MSC Engineering. Construct a single family house with attached deck and steps and installation of a pervious sidewalk, patio and driveway. This is a Town Special Permit and NHDES Minimum Expedited.

**Speaking on this application is Corey Colwell of MSC Engineering.**

The Commission was provided with an overview of the property, which is bounded by residential homes and northeasterly by the Atlantic Ocean. The lot is vacant and open consisting of sand with beach grass and rose bushes.

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It is Residential A Zoned and in three different flood zones. The lot was used as a staging area for a previous revetment. The large riprap wall serves the neighborhood.

Mr Colwell stated that it is proposed to build a single family home and in the 50 foot buffer there would be a set of stairs that will go from the deck to a permeable paver patio. The rest of the building is outside the buffer. The driveway and walkway will also be of pervious materials. There will be a 24 SF deck off the back of the house and at the east end of the deck will be steps leading to the pervious patio. The entire deck will be set behind the structure. The driveway and walkway will provide collection of storm water, which will infiltrate. It is proposed to use differing gradations of stone and the whole area will capture run off from the roof and deck and infiltrate into the ground.

At the site visit, the Commission suggested a granite barrier along the edge of the walkway from the front to the rear of the property on the easterly side. The land is gently sloping and a granite barrier would allow the storm water to stay on the walkway and help to infiltrate into the ground rather than running off onto the neighbor's property. This has been added to the plan which is before the Commission this evening. Secondly, the Commission required the proposed grading be shown. The lot slopes from back to front and the elevation is at 12 feet with 14 feet in the rear.

Mr. Colwell stated there is existing vegetation on site with 160 feet of beach grass. 170 feet of beach grass is proposed. Beach rose is proposed to remain in the buffer strip.

Further, he stated that, when complete, 36.6 percent of the lot will be sealed surface. A proposed quality home in a natural state to preserve the ocean feel and characteristics will be built. There is room to build a larger structure, but is not warranted.

Mr. Page questioned how the owners would get to the beach. He also stated that a stair permit and a liability bond from the town would be necessary. There is no proposal for stairs for beach access at this time.

Mr. Tilton said that it is a good plan for the site and was well presented and well done.

Ms. Renaud commented that the plan was presented well and she is appreciative the Commission's suggestion were taken.

Ms. Swank questioned the material to be put on the surface under the deck. Engineer said they are agreeable to suggestions and it is expected to be crushed or  $\frac{3}{4}$  inch stone or leave as natural sand. The deck is three feet off the ground.

Mrs. Dionne stated that the finished first floor is at an 18 ft. elevation, the garage door is at 12 feet, and behind the garage is at 18 feet. One would drive into the garage at street level which goes back 24 feet with a crawl space behind the garage.

Mr Colwell said the proposal is within the new FEMA regulations and there are flood vents in the lower floor.

Mr. Diener stated that if, for any reason, the grades will change, the owners should come back to the Commission before the work is completed.

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Mrs. Dionne questioned if there would be pads for generators or air conditioning condensers. The builder stated that the air conditioning would be on a stone pad on the northern side; however, there is a good chance it will be hung on the wall. If there is a chance it would be on the ground, it will show on the plan.

**PUBLIC COMMENT** – There was no public comment.

**MOTION:** Ms. Renaud moved not to oppose and to sign the NHDES Minimum Expedited Application for 59 Campton Street.

**SECOND:** Mr Tilton

**VOTE:** 5 in favor, 0 opposed 1 abstain (Diener)

**MOTION:** Mr. Tilton moved to recommend the Planning Board grant the Town Special Permit for new home construction at 59 Compton Street with stipulations as follow:

- Use of Wetlands Conservation District markers along the wetland buffer at the owner's expense;
- Permeable surface driveway;
- Any deck must be open above and below allowing for vegetation to grow beneath;
- Lawn care must follow the guidelines set forth in the NHDES Shoreland Protection Act (Env-WQ 1400). No storage of grass clippings or yard waste in the wetland or its buffer;
- Removal of trees that are not dead, diseased, or unsafe must be performed in compliance with NHDES Shoreline Protection Act, Section Env-Wq 1403.05;
- All proposed plantings shall have at least 75% success after two (2) growing seasons. Any plants that do not survive shall be replanted or replaced with another suitable plant species;
- Proper erosion control will be in place before construction begins and remain in place until the area is stabilized and removed after construction is complete. Silt fence and hay bales (salt hay bales for tidal areas);
- The buffer should remain undisturbed to the degree possible in the process of construction and elevations not be changed. No additional fill is allowed. No change in elevation is allowed;
- There are to be no additional structures such as sheds, swimming pools, gazebos, patios or other sealed surface, etc. in the buffer, other than that shown on the approved plan. A new Special Permit is required for the erection of any additional structure(s) in the buffer;
- The Conservation Commission shall be notified in writing upon commencement and completion of the project and before an occupancy permit is issued. Schedule a final inspection with the Conservation Coordinator upon completion of the project;
- An As-Built Plan shall be submitted following project completion; and
- This permit will expire two years from the date that it is granted by the Planning Board. Refer to Hampton Zoning Ordinance, Section 2.3.5 for information on permit extensions.

**SECOND:** Ms. Swank

**VOTE:** 5 in favor – 0 opposed, 1 abstain (Diener)

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**4. Stowecroft/Dalton Woods. Lloyd Graves and Green & Co. Agent – Jones and Beach Engineering. Proposed 13-Lot Subdivision that will involve the construction of a proposed roadway, construction of a gravel wetland pond, and replanting trees around the wetland impact. There will be 680 SF of wetland impacts and 5,280 SF of buffer impacts. This is a Town Special Permit and NHDES Standard Dredge and Fill application.**

Present this evening were Jim Gove, Gove Environmental Service and Michael Green, Green & Co.

On February 25, 2014, the Commission voted not to oppose the NHDES Standard Dredge and Fill application with stipulations. Also, it was voted to recommend to the Planning Board that they grant the Town Special Permit, with stipulations. However, differences in wetland delineations were noted and the applicant was asked to come back before the Commission to explain the differences.

Mr. Gove explained that, after Mark West completed the wetlands delineation, it was requested that Mr. Gove delineate the poorly and very poorly drained soils. Some adjustments had occurred; however, Mr. Gove was looking strictly at the soil. This included the low spot in the road bed.

In the 2005 wetland delineations, the boundary shown was different than on the 2013 plan. There was an earlier delineation in 1986 from the original subdivision for Stowecroft Drive and Fieldstone Circle and that included other wet areas along the edge of Fieldstone Circle. He stated that at the site visit on Saturday, he identified solids under top soils within twelve inches. He noted that a criteria has been developed, and he uses the official series descriptions to identify poorly drained soils.

Mr. Gove referred to the various soils which included the Boxford soils and Eldridge soils, which are present on the site. He stated that the Official Series Descriptions for the delineation of poorly drained soils are maintained by the Natural Resources Conservation Service. It is a science, he stated, and there are standard changes over time; and, one must use standards that are considered acceptable at the time delineation is being done.

Mr. Gove reported that he and Mr. West looked at other areas of the site that were shown as wetlands. He also noted he is confident with the boundary.

Mr. Diener reported that he and Mrs. Dionne went to the site this date and noted in one corner where the gravel drive comes in, it is very wet.

Mr. Gove stated that the issue is the silt and clay underneath. He described definitions and conditions and stated that anaerobic conditions are those with continuous water present near the surface for two weeks during the growing season which begins in May,

Mr. Diener noted the site is wet in general and conditions on the abutting properties are wet. He wants to be assured that whatever happens on the property, will not make conditions in the neighborhood any worse. He said he has seen too many developments in Hampton with water problems, after assurances there were not water problems. He said that, after seeing the site today, he is not convinced that those issues will be addressed.

Mr. Gove stated that, as described in the prior meeting, it is possible to put berms adjacent to some neighbors who have issues. Also, a drainage system around the roadways is planned to be installed, and drains to remove water to the gravel wetland, and discharging to the wetland itself are features of the plan. He stated this is a Civil Engineering function and both the berms and ditch would help neighbors with water problems.



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Mr. Diener spoke to the wetlands delineations and questioned why there are discrepancies. Mrs. Dionne stated that new information came to the attention of the Commission because the 2005 wetland delineation shows a more expansive wetland area than the current plan. She recommended during the PRC process that the applicant come back before the Commission to explain the differences. She noted that this evening is a Public Hearing and a vote can be taken on a Special Permit; however she would recommend a third party delineation prior to further action. Mrs. Dionne noted she did an unofficial overlay that shows the 2005 and 2013 delineations on one sheet.

Mr. Page noted that a portion of 2005 plan has significant differences than the current plan. He also stated with changes in wetland delineation, lots may have to be reduced; and, some will not change.

Mr Diener stated that Lots 5 – 11 would be affected by the delineation differences.

Ms. Shaw stated the site is too wet and noted that, with regard to the delineation, it could be caused by ongoing development and encroachment as development changes topography.

Ms. Swank stated that there are two different issues. The wetland and large amounts of water are not caused by wetland soil type. Her concern is finding ways to somehow divert the drainage off the properties in order not to affect the neighbors. She questioned what could be done about that this evening. She also noted there are two different wetlands and water on the lots are not necessarily from the wetlands. She questioned if it is a drainage problem or a wetland problem.

Mrs. Dionne stated it is puzzling is to see a wetland redelineation and have it appear smaller than in 2005. With this amount of wetland, it is rare to see a decrease. She noted that the criteria has changed, and a third independent wetland review and a soil scientist could define the lines to know if is based to current guidelines.

Mrs. Dionne noted that the Ordinance protects the wetlands and areas of poorly and very poorly drained soils; however, there are other soil types that do not drain well which are not protected.

Mr. Gove stated that there was a catchall in the manual in 2004 which was to go down to 18 inches. That is not done today, they go 10 – 12 inches to address what is happening. If the catchall was used for the 2005 delineation, that may explain the differences.

Ms. Renaud stated that the focus tonight is because of new information in regard to the wetland today. If there is a wetland boundary dispute, it is in the Commission's purview to have it clarified as stated in the Wetland Ordinance.

Mr. Tilton disputed what the applicant is claiming and is inclined to believe the new delineation is as the property is today. There should be an independent party review and, given the same standards will be used, there will not be much of a difference.

Mr Diener stated that delineation and drainage issues have an impact on the project that could adversely affect the abutters. This needs to be addressed as neighbors already have water issues on their properties. There should be no adverse effect caused by the project.

Mr. Page stated that there are drainage issues in the entire development and he is in favor of redelineation.

**PUBLIC COMMENT:**

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Louise Drolet, 34 Stowcroft Road, provided notebooks to the Commission which contained photographs of ongoing water problems, lists of abutter signatures, letters which detail ongoing concerns regarding drainage, environmental impacts, etc. She stated the neighborhood is suffering and will be affected by construction in the wetland area. She referred to the two engineering studies showing the varying delineations and requested that a third party survey be conducted to determine accuracy. She, speaking for neighborhood, asked that the remaining wetland areas in town be protected. Further, she requested that permits not be issued for any property that would impact the wetlands. Ms. Drolet requested that the notebook be part of the record.

Barry Curtis, 6 Fieldstone Drive, provided a pamphlet to the Commission that outlined the concerns of the neighborhood. He spoke of the main issues which include the water levels on the lot and management of displaced water. Photographs of the area of concern were included in the pamphlet.

He also talked about the delineations and the major differences shown on the plans. He requested a third determination. He noted that the rules have not significantly changed and questioned how the delineations could have changed as dramatically as shown. Further, based on the variances, he requests the Army Corps of Engineers be contacted to look at the data and provide a ruling. He also suggested that the reason for the variances could be because of maintenance/mowing in the fields.

Mr. Curtis also spoke of the Island and questioned if it is a vernal pool. He requested that the Commission have an expert view and determine if a vernal pool exists. Lastly, Mr Curtis spoke to the standing water level on the lot, referencing the photographs provided which were taken during the week before the site walk. He requested soil data sheets.

Mr. Gove stated Mr. West used the delineation standards that were developed by the Army Corps of Engineers in the 1987 study. He offered to call the Army Corps of Engineers. He also stated that Mr. West viewed the area and would have to view several more times to determine if there are egg masses in the pool. In Mr. Gove's opinion, he does not think it is a vernal pool.

Mrs. Woolsey commented that she knows what poorly drained soil is, it is water that will not go away. She is strongly recommending an Army Corps of Engineer third party study to get an accurate delineation of the area. She would like to see the boundaries of the 13-acre project. Further, as residents and taxpayers, the existing owners should not be held hostage by contractors and, further, to make sure people are protected. She stated that many complaints to the Town are from existing residences who have had a development built next to them and the complaints are all water related.

Mrs. Woolsey stated she purchased property forty years ago and has never had standing water in her driveway in that the water drains into pea stone. She stated that there is a need to look underneath and dig into the soil and, if there is good drainage, the water drains down. She noted the number of drainage problems on Exeter Road and suggested looking at the Assessor's map that shows the "old river", which is a wet area draining west. She also stated that the Commission needs to be careful about the proposals that are coming before them. Building has been done on wetlands which cause nothing but trouble. The existing neighborhoods have to be protected. The home is the biggest investment and devaluation of property is serious in situations such as this. Neighbors deserve an independent study of the area and the potential effect down to Exeter Road.

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Mr. Diener stated that the Commission has a responsibility to ensure that abutting properties are not harmed by development; however, they also have a responsibility to allow people, as long as Town Ordinances are obeyed, to build on property they own.

Mr. Tilton referred to Section 2.3.1 of the Ordinance and stated a Special Permit should not be issued if there are doubts on compliance.

**MOTION: Mr. Page moved to recommend the property undergo an independent delineation and to have a qualified vernal pool expert determine if the small pool is a vernal pool. And, further, to request a letter be forwarded to the Planning Board requesting a revisit of the prior recommendation, submitted February 25, 2014, and that the Planning Board defer their final decision pending review of a verified wetlands delineation.**

**SECOND: Ms. Renaud.**

**MOTION: Mr. Page moved to rescind and withdraw the prior motion, above.**

**SECOND: Ms. Renaud**

**VOTE: 5 in Favor, 0 Opposed, 1 abstain (Diener)**

**MOTION: Mr. Page moved to withhold the Conservation Commission's recommendation of February 25, 2014 until the results of an independent third-party delineation and vernal pool assessment are conducted and are received by the Commission. It is requested the Planning Board take a close look at the drainage study if one has been performed; and, if not to request a drainage study. And, further, the Commission requests that the Planning Board, while reviewing the drainage on this parcel and surrounding lots, ensure no harm is done to abutters existing properties because of development on this lot.**

**SECOND : Ms. Renaud**

**VOTE: 5 in favor, 0 opposed, 1 abstain (Diener)**

Mr. Gove stated that the Rockingham County Conservation Commission conducts independent reviews of wetland delineations on a regular basis for a number of NH communities. He stated they follow the Army Corps of Engineer standards.

Mr. Diener commented that there is a lot of water on the property and it has to be draining somewhere. Further, abutters have existing water conditions on their properties and the Commission has a responsibility, to the best of their ability, not do anything to make the drainage problems any worse. He is not confident the drainage issues have been dealt with and is concerned that, if this project is going forward, it will harm the abutters.

Mr. Gove commented that this is a step in the right direction and that the delineation is being checked. He recommends that the Planning Board review a drainage study to see what actions have been taken to determine where the water goes. This has to do with water control, he said.

Mrs. Woolsey stated that the Town is not going to take the responsibility for the maintenance of drainage; however it has to be maintained.

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**NEW BUSINESS - Postponed to May meeting.**

- a. Join the NH Association of Natural Resource Scientists – NHANRS
- b. Open Space Committee
- c. Identify Conservation Land needing signage
- d. 2015 Warrant Articles

**CONSERVATION COORDINATOR and CHAIR UPDATE**

Mrs. Dionne requested that the Commission review a project at 52 Loring Drive, the Commission agreed.

**TREASURER's REPORT** – Ms. Renaud provided the Commission with a Quarterly Report.

**ADJOURN: MOTION: Mr. Tilton moved to adjourn the meeting at 10:16 p.m.**

**SECOND: Mr. Page**

**VOTE: 6 in favor, 0 opposed**

**The meeting was adjourned at 10:16 p.m.**

The next Public Hearing of the Hampton Conservation Commission will be held on Tuesday,  
May 27, 2014.

Respectfully submitted,  
Anne Marchand, Recorder